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JFK
(Garrison)

83RD CONGRESS
1ST SESSION

H. R. 6344

IN THE HOUSE OF REPRESENTATIVES

JULY 16, 1953

Mr. MORANO introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To control the exportation and importation of arms, ammunition and implements of war, and related items, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Munitions Control Act
4 of 1953".

DECLARATION OF POLICY

5
6 SEC. 2. The Congress hereby declares that it is the
7 policy of the United States to exercise export, import, and
8 other controls over arms, ammunition, and implements of
9 war and related articles to the extent necessary to further
10 United States foreign policy, to aid in fulfilling its inter-

1 national responsibilities, and to protect the security interests
2 of the United States.

3 EXPORTS OF ARMS, AMMUNITION, AND IMPLEMENTS
4 OF WAR

5 SEC. 3. (a) To effectuate the policies set forth in
6 section 2 hereof, the President is hereby authorized to
7 designate those articles which he determines shall be subject
8 to export control as arms, ammunition, and implements of
9 war, and may prohibit or curtail the exportation of any such
10 articles.

11 (b) It shall be unlawful for any person to export or
12 attempt to export from the United States any arms, ammu-
13 nition, or implements of war designated by the President
14 under the authority of this section without first having ob-
15 tained a license therefor. Licenses may be either general
16 or specific.

17 (c) In formulating the standards or criteria governing
18 the issuance of licenses under this section and in the admin-
19 istration thereof, there shall be consultation among the inter-
20 ested executive departments and independent agencies.

21 IMPORTS OF ARMS, AMMUNITION, AND IMPLEMENTS OF
22 WAR

23 SEC. 4. (a) To effectuate the policies set forth in section
24 2 hereof, the President is hereby authorized to designate
25 those articles which he determines shall be subject to import

1 control as arms, ammunition, and implements of war, and
2 may prohibit or curtail the importation of any such articles.

3 (b) It shall be unlawful for any person to import or
4 attempt to import to the United States any arms, ammuni-
5 tion, or implements of war designated by the President under
6 the authority of this section without first having obtained a
7 license therefor. Licenses may be either general or specific.

8 (c) In formulating the standards or criteria governing
9 the issuance of licenses under this section and in the admin-
10 istration thereof, there shall be consultation among the
11 interested executive departments and independent agencies.

12 REGISTRATION OF MANUFACTURERS, EXPORTERS, AND
13 IMPORTERS OF ARMS, AMMUNITION, AND IMPLEMENTS
14 OF WAR

15 SEC. 5. (a) To effectuate the policies set forth in sec-
16 tion 2 hereof, the President is hereby authorized to designate,
17 from time to time, those arms, ammunition, and implements
18 of war, the manufacture, exportation, or importation of which
19 he determines shall be subject to the registration require-
20 ments of this section.

21 (b) Every person who engages in the business of manu-
22 facturing, exporting, or importing any arms, ammunition,
23 or implements of war designated by the President under the
24 authority of this section, shall register with the department,
25 agency, or official charged with the administration of this

1 section his name or business name; principal place or places
2 of business in the United States and in any foreign country;
3 the names and addresses of his agents or sales representatives
4 in the United States and in any foreign country; a list of the
5 arms, ammunition, or implements of war manufactured,
6 exported, or imported by him; and such other information
7 pertinent to such business as may be prescribed by regula-
8 tion. Applications for registration shall be executed under
9 oath.

10 (c) Every person required to register under the provi-
11 sions of this section shall pay a registration fee of \$100.
12 Upon receipt of the information required under the provisions
13 of subsection (b) of this section, and of the registration fee,
14 there shall be issued to such person a registration certificate
15 valid for five years, which shall be renewable for further
16 periods of five years upon application therefor and the pay-
17 ment for each renewal of a fee of \$100.

18 (d) It shall be unlawful for any person to engage in
19 the business of manufacturing, exporting, or importing any
20 of the articles designated under subsection (a) of this sec-
21 tion as arms, ammunition, or implements of war without
22 having registered pursuant to the provisions of this section.

23 (e) Every person required to register under this sec-
24 tion shall report promptly any changes in the information

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1 required under subsection (b) of this section or the regula-
2 tions issued pursuant thereto.

3 (f) All persons obligated to register under this section
4 shall maintain, subject to the inspection of the department,
5 agency, or official charged with the administration of this
6 section, or the duly authorized agents thereof, such perma-
7 nent records as shall be prescribed by regulations issued
8 pursuant to the authority of section 7 of this Act.

9 EXPORT CONTROL OF RELATED ARTICLES

10 SEC. 6. The President is hereby authorized to extend
11 the export control provisions of section 3 of this Act to
12 include articles especially designed for or used principally
13 in the development, manufacture, servicing, or maintenance
14 of arms, ammunition, or implements of war whenever he so
15 determines and causes to be published a list of such articles.

16 ADMINISTRATION

17 SEC. 7. The President may make such rules and regu-
18 lations with regard to the administration and enforcement
19 of this Act as he may deem necessary and may rescind,
20 modify, or amend such rules or regulations.

21 AUTHORITY TO DELEGATE FUNCTIONS

22 SEC. 8. The President may delegate the power, author-
23 ity, and discretion conferred upon him by this Act to such

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1 departments, agencies, or officials of the Government as he
2 may deem appropriate.

3 REPORT TO THE PRESIDENT AND CONGRESS

4 SEC. 9. The head of any department, or agency, or
5 official exercising any functions under this Act shall make
6 an annual report to the President and to the Congress of
7 the operations performed hereunder.

8 PENALTIES

9 SEC. 10. Any person who willfully violates any of the
10 provisions of this Act or the rules or regulations promulgated
11 pursuant thereto, or any person who willfully, in a registra-
12 tion or license application, makes any untrue statement of
13 a material fact or omits to state a material fact required to
14 be stated therein or necessary to make the statements therein
15 not misleading, shall upon conviction be fined not more than
16 \$25,000 or imprisoned not more than two years, or both.

17 SEIZURES AND FORFEITURES

18 SEC. 11. (a) Whenever any arms, ammunition, or im-
19 plements of war or other articles are exported or imported,
20 or the export or import of which is attempted, in violation of
21 the provisions of this Act, any officer of the Customs, mar-
22 shal, or deputy marshal of the United States, or other person
23 duly authorized for the purpose by the President, may seize
24 and detain any such articles and the vessel, aircraft, or
25 vehicle containing such articles or which has been used in

1 connection with the illegal movement or attempt to move
2 such articles, and such articles and the vessel, aircraft, or
3 vehicle shall be forfeited to the United States and condemned
4 by like proceedings as those provided by law for the seizure,
5 forfeiture, and condemnation of property exported from or
6 imported into the United States contrary to law.

7 (b) In the case of the forfeiture of any arms, ammuni-
8 tion, or implements of war or other articles by reason of a
9 violation of this Act, they shall be delivered to the Secretary
10 of Defense for such disposition as he shall consider to be in
11 the public interest, including the use of such articles by the
12 Armed Forces of the United States, unless the Secretary of
13 Defense shall decide that the articles are not suitable for
14 disposition by him, in which case they shall be sold and the
15 proceeds, less the legal costs and charges, paid into the Treas-
16 ury of the United States.

17 (c) The head of the department or agency charged
18 with the administration of this section shall have the power
19 to remit or mitigate the forfeiture of any arms, ammunition,
20 or implements of war, or other articles, including vessels,
21 aircraft, or vehicles used in connection with the movement
22 of such items, incurred under the terms of this Act, if he
23 finds that such forfeiture was incurred without willful negli-
24 gence or without intention to violate the law, or finds the
25 existence of other mitigating circumstances.

DEFINITIONS

2 SEC. 12. For the purposes of this Act, the term "United
3 States" includes the several States and Territories, the in-
4 sular possessions of the United States, the Canal Zone, and
5 the District of Columbia; the term "person" shall include
6 the singular and the plural and any individual, partnership,
7 corporation, or other form of association, including any for-
8 eign government or agency thereof.

9. APPLICABILITY OF ADMINISTRATION PROCEDURE ACT

10 SEC. 13. The functions conferred by this Act shall be
11 excluded from the operation of the Administrative Procedure
12 Act (60 Stat. 237), except as to the requirements of section
13 3 thereof.

EFFECT ON OTHER ACTS

15 SEC. 14. Section 12 of the joint resolution of Congress
16 approved November 4, 1939 (54 Stat. 10; 22 U. S. C.
17 452), section 4 of the Act of September 1, 1937 (50 Stat.
18 887; 50 U. S. C. 165), and sections 1 and 2 of the joint
19 resolution approved January 31, 1922 (42 Stat. 361; 22
20 U. S. C. 409, 410), are hereby repealed; but nothing in
21 this Act shall be construed to modify, repeal, supersede, or
22 otherwise affect the provisions of any other laws author-
23 izing control over exports or imports of any commodity.

SAVING CLAUSE

2 SEC. 15. All outstanding rules, regulations, orders,
3 licenses, or other forms of administrative action under said
4 section 12 of the joint resolution of Congress approved
5 November 4, 1939; section 4 of the Act of September 1,
6 1937; and sections 1 and 2 of the joint resolution approved
7 January 31, 1922, shall, until amended, or revoked, remain
8 in full force and effect, the same as if promulgated under
9 this Act.

SEPARABILITY OF PROVISIONS

11 SEC. 16. If any of the provisions of this Act, or the
12 application thereof to any person or circumstance, is held
13 invalid, the remainder of the Act and the application of such
14 provision to other persons or circumstances shall not be
15 affected thereby.

APPROPRIATIONS CLAUSE

17 SEC. 17. There is hereby authorized to be appropriated,
18 out of any money in the Treasury not otherwise appro-
19 priated, such amounts as may be necessary to carry out the
20 provisions and accomplish the purposes of this Act.

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